

Call to Order/Pledge of Allegiance/Attendance

The January 12, 2021 meeting of the Newtown Village Council took place via Zoom and called to order at 6:30 p.m. by Mayor Mark Kobasuk.

Council Members:	Don Carroll (Vice Mayor)	Solicitor Emily Supinger
	Daryl Zornes	Fiscal Officer Keri Everett
	Chuck Short	Assistant to Mayor Becky Fairley
	Curt Tiettmeyer	Police Chief Tom Synan
	Terry Fairley	
	Sarah Williams	

APPROVAL OF COUNCIL MINUTES:

Mr. Fairley made a motion to approve the regularly scheduled 12.08.2020 and 12.15.2020 Special Council Minutes. Mr. Short seconded the motion. All Aye. Motion Carried.

SPECIAL PRESENTATIONS:

Engineering Update submitted by Bruce Brandstetter

January 8, 2021

1. Ragland Road Culvert (17053)

- A \$26,000 retainage is being held on Majors Pay Request.
- Majors and Yeager may reach a compromise.

2. 2020 Paving Program (20054)

- Final pay request is being processed. Project is \$6,574.90 under budget. Final Change Order.

3. Plan Reviews and Meetings (20007)

- All concrete and asphalt punch list work are complete on Church Street properties across from St. John Fisher Catholic Church. Developer needs to submit record drawings of grading and drywells.

4. McCullough's Run (20007)

- Field survey work scheduled for week of 1/11/21.
- Alternatives will be prepared and finalized.

5. Church Street North Paving (20045)

- Recommended advertising in February with bid opening by 2/26/21.
- Bids to be reviewed at 3/9/21 Council meeting.
- BCI recommends that the Lake Barber Trail Repairs and Seal Coat be contracted separately.
- If the Municipal Parking Lot paving is in the 2021 program, may want to bid with Lake Barber.

6. Moundview Park (20078)

- Alternatives and budget costs:
 - Onsite treatment per existing \$50,000
 - Moving forward with Onsite treatment, either aerobic system per the existing or mound system.
 - Mound system soil absorption test to confirm size required is out for proposal.
- Schedule for construction in 2021 is acceptable to OEPA per 11/17/20 email.

7. Short Park

- As of January 7, 2021, Village has received \$50,000 from the state Capital Budget which will be thru ODNR. CDBG has awarded \$50,000, so total available is \$100,000.
- BCI will work with Park Committee on schedule, alternatives etc.

8. MRF/OPWC Applications

- MRF and OPWC applications submitted on 11/6/20 for paving.

	OPWC	MRF	Village
Church Street South	\$114,500	\$50,000	\$64,500
Little Dry Run Road	\$116,000	\$50,000	\$66,000
- OPWC Submitted for McCullough's Run for a construction cost of \$200,000 (50%/50% split)
- Preliminary scores received.
- Final approval of funded projects on 1/29/21.
- District is questioning if OPWC can fund the McCullough's Run project since there is not an easement. BCI to submit formal response by 1/15/21.

MAYOR AND COUNCIL MEMBER REPORTS:

Vice Mayor 2021

Mayor Kobasuk asked for a motion to appoint Dan Carroll as Vice Mayor.

Mr. Tiettmeyer made the motion, seconded by Mr. Zornes. All Aye. Motion Carried.

Cares Act Funds (Mayor Kobasuk)

The Village will receive a total funding of \$225,095.04 from the Coronavirus Relief Funding Cares Act. This funding will be allocated for First Responders payroll and Short Park Revitalization

Planning Commission and Board of Zoning Open Seats (Mayor Kobasuk)

Board of Zoning Appeals and the Planning Commission currently have an open seat for a resident representative. Kevin Ackerman is no longer a Newtown resident; therefore, he recently resigned from serving on the Board of Zoning Appeals. Cheryl McConnell recently resigned from her position serving the Planning Commission, due to spending more time with family.

Solicitor Supinger said positions serving the Planning Commission are appointed by the mayor. BZA positions are appointed by Village Council.

The following residents have expressed interest in serving the Village, stated Mayor Kobasuk: Lloyd Johnson-Riverhills subdivision, Ralph Ward-Ivy Hills Reserve, Greg Thomas-Church Street and Andy Hogan-Clusters at Ivy Hills.

Residents Lloyd Johnson and Ralph Ward applied for an open council seat in 2015-2016. Mayor Kobasuk recommended to Council that Mr. Johnson be appointed to serve on the BZA and Mr. Ward to the open seat on the Planning Commission. Mayor Kobasuk said it is important that the village be represented as a whole and not have too many members from one neighborhood.

Mayor Kobasuk made the decision to appoint Mr. Ralph Ward to the open seat on the Planning Commission.

Solicitor Supinger informed Council that the BZA appointment qualifies for an Executive Session discussion item. Council decided to discuss in Executive Session.

2021 Community Development Block Grants (Mayor Kobasuk)

Newtown received \$25,000 for the Short Park Revitalization for Basketball Courts.

Economic Development Projects (Mayor Kobasuk)

- The CIC met last week.
- The Motz agreement was approved for the development project so the project will be moving along.
- The Planning Commission approved a Conditional Use for "My Suite Garage" to be located at 3798 Round Bottom Road, across from Hydro Systems. This is a high-end premium garage condo for storage of motorsport vehicles (garage price range \$150,000 to \$300,000). This will be a 6.8-million-dollar project yielding 32 units.

Employee Vacation Time (Mayor Kobasuk)

Due to the COVID-19 pandemic, several employees have more than 40 hours they are asking to carry-over into 2021. Per the Personnel Practices Manual, 40 hours are allowed to be carried over. Mayor Kobasuk said what we do for one employee, we should do for all. He would hate to see the employees lose their time earned and asked Council for their consideration. After much discussion, Council approved this request as a one-time carry-over to use in 2021.

Mr. Zornes made a motion to allow the carry-over of unused 2020 vacation time to be used in 2021. Mr. Short seconded the motion. Vote: Mr. Zornes-Yes, Mr. Short-Yes, Mr. Carroll-Yes, Mr. Tiettmeyer-Yes, Mr. Fairley-Yes, Ms. Williams-Yes. All Aye. Motion Carried.

Council Reports

Safety Committee (Mr. Zornes)

The Committee met 12/20/20 to discuss the Police 2021 Budget. Cost of the new vehicles is undetermined at this time as we are waiting on the state bid.

Maintenance (Mr. Short)

Waiting on bids for tuckpointing at Moundview and will try to get a discount on mowing at Short Park. Also looking at the purchase of a new Ford Pickup Truck, hoping to get \$15,000 for the trade-in. Total cost of new truck would be \$57,000-\$60,000. Money has been set aside for the purchase. A seasonal employee was also discussed at the meeting – more info to follow and should have the info by the time we read the budget.

Planning Commission Update (Mr. Carroll)

Two issues were dealt with at the 12/17/20 Planning Commission meeting. Planning Commission approved the Conditional Use for My Suite Garage, 3798 Round Bottom Road for the storage of the motorsport vehicles. Provisions of the code were laid out by Gerry Stoker and the company must abide by the provisions. A lot split at 3516 Leonard Street was also approved for a new single-family home.

Finance Committee: Mr. Tiettmeyer called for a Finance Committee meeting to be held on February 2nd at 6pm via Zoom. A reading of the Budget will take place in February.

Solicitor's Report (Solicitor Emily Supinger)

Working with the Village's Bond Council on two TIF's (My Suite Garage and the Motz Development). No activity in the Soccer Appeal case – nothing since April 2020. Mrs. Supinger will continue to check the docket and advise Council accordingly.

Legislation

Ordinance Setting Date, Time, Place Council Meetings

Regular meetings of the Council of the Village of Newtown shall be held on the second Tuesday of each month at 6:30pm at the Newtown Village Hall, 3537 Church Street. Due to the COVID-19 pandemic, meetings may be held by video conference or other electronic means, and the method for how members of the public may view such meetings will be published on the Village website.

Mr. Fairley made a motion to suspend the rules, seconded by Mr. Short. All Aye. Motion Carried.

Mr. Fairley made a motion to adopt ORDINANCE NO. 01-2021 AN ORDINANCE SETTING THE DATE, TIME AND PLACE OF VILLAGE COUNCIL MEETINGS, AND DECLARING AN EMERGENCY. Mr. Short seconded the motion. Roll Call: Mr. Fairley-Yes, Mr. Short-Yes, Mr. Carroll-Yes, Mrs. Williams-Yes, Mr. Tiettmeyer-Yes, Mr. Zornes-Yes. Motion Carried.

Ordinance, Employment of Legal Counsel

Emily T. Supinger of Strauss Troy Co., LPA, shall be, and hereby is employed as Solicitor for the Village of Newtown for the 2021 term of Council and until a successor is appointed. The Solicitor may appoint attorneys of Strauss Troy Co., LPA to serve as Assistant Solicitors of the Village of Newtown as necessary.

Mr. Zornes made a motion to suspend the rules, seconded by Mr. Short. All Aye. Motion Carried.

Mr. Zornes made a motion to adopt ORDINANCE NO. 2-2021 AN ORDINANCE PROVIDING FOR THE EMPLOYMENT AND COMPENSATION OF LEGAL COUNSEL, AND DECLARING AN EMERGENCY. Mr. Short seconded the motion. Roll Call: Mr. Fairley-Yes, Mr. Short-Yes, Mr. Carroll-Yes, Mrs. Williams-Yes, Mr. Tiettmeyer-Yes, Mr. Zornes-Yes. Motion Carried.

Resolution, Contract w/BCI Engineering Services

Mr. Short made a motion to suspend the rules, seconded by Mr. Fairley. All Aye. Motion Carried.

Mr. Short made a motion to adopt RESOLUTION NO. 01-2021 A RESOLUTION APPROVING A CONTRACT WITH BRANDSTETTER/CARROLL, INC. FOR PROFESSIONAL SERVICES. Mr. Carroll seconded the motion. Roll Call: Mr. Fairley-Yes, Mr. Short-Yes, Mr. Carroll-Yes, Mrs. Williams-Yes, Mr. Tiettmeyer-Yes, Mr. Zornes-Yes. Motion Carried.

Resolution, Liability Insurance w/The Ohio Plan

Mr. Tiettmeyer made a motion to suspend the rules, seconded by Mr. Fairley. All Aye. Motion Carried.

Mr. Tiettmeyer made a motion to adopt RESOLUTION 02-2021 A RESOLUTION APPROVING A CONTRACT FOR LIABILITY INSURANCE WITH THE OHIO PLAN RISK MANAGEMENT. Mr. Zornes seconded the motion. Roll Call: Mr. Fairley-Yes, Mr. Short-Yes, Mr. Carroll-Yes, Mrs. Williams-Yes, Mr. Tiettmeyer-Yes, Mr. Zornes-Yes. Motion Carried.

Ordinance, Supplemental Appropriations

Mr. Tiettmeyer made a motion to suspend the rules, seconded by Mr. Carroll. All Aye. Motion Carried.

Mr. Tiettmeyer made a motion to adopt ORDINANCE NO. 03-2021 AN ORDINANCE APPROVING SUPPLEMENTAL APPROPRIATIONS AND TRANSFERS FOR CALENDAR YEAR 2020 AND RECONCILING THE BUDGET AND AMENDING APPROPRIATIONS FOR CALENDAR YEAR 2020. Mr. Carroll seconded the motion. Roll Call: Mr. Fairley-Yes, Mr. Short-Yes, Mr. Carroll-Yes, Mrs. Williams-Yes, Mr. Tiettmeyer-Yes, Mr. Zornes-Yes. Motion Carried.

Resolution, ODOT for Roadway Improvements

Project includes resurfacing portions of SR 32 and SR 125 in Hamilton County. Implement sidewalk and crossing of SR 32 per Alternative A7 that was recommended in the 2019 Eastern Corridor Implementation Plan., with a portion of SR 32 in the Village of Newtown.

Mr. Carroll made a motion to adopt RESOLUTION 03-2021 A RESOLUTION AUTHORIZING THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION TO UNDERTAKE CERTAIN ROADWAY IMPROVEMENTS IN THE VILLAGE OF NEWTOWN. Mr. Zornes seconded the motion. Roll Call: Mr. Fairley-Yes, Mr. Short-Yes, Mr. Carroll-Yes, Mrs. Williams-Yes, Mr. Tiettmeyer-Yes, Mr. Zornes-Yes. Motion Carried.

New Business

Mr. Tiettmeyer made a motion to approve Council Checklist for End of Year 2020 for \$232,622.95, Mr. Zornes seconded the motion. All Aye. Motion Carried.

Executive Session

Mayor Mark Kobasuk and Council entered into Executive Session at 7:34 pm under O.R.C. 121.22 (G)(1) Purpose of Executive Session is to discuss compensation of Village employees and the appointment of public official.

Mr. Carroll made the motion, seconded by Mr. Short. Roll Call: Mr. Carroll-Yes, Mr. Zornes-Yes, Mr. Tiettmeyer-Yes, Mr. Short-Yes, Mr. Fairley-Yes, Mrs. Williams-Yes. Motion Carried.

Council reconvened at 8:12pm. Roll Call: Mr. Carroll-yes, Mr. Zornes-Yes, Mr. Tiettmeyer-Yes, Mr. Short-Yes, Mr. Fairley-Yes, Mrs. Williams-Yes. Motion Carried.

Ordinance, Establishing Salaries for 2021

It is necessary to establish rates of pay and salaries for Village personnel commencing December 31, 2020.

Mr. Carroll made a motion to suspend the rules seconded by Mr. Tiettmeyer. All Aye. Motion Carried.

Mr. Carroll made a motion to adopt ORDINANCE NO. 04-2021 AN ORDINANCE ESTABLISHING SALARIES FOR VILLAGE PERSONNEL AND DECLARING AN EMERGENCY. Mr. Zornes seconded the motion. Roll Call: Mr. Fairley-Yes, Mr. Short-Yes, Mr. Carroll-Yes, Mrs. Williams-Yes, Mr. Tiettmeyer-Yes, Mr. Zornes-Yes. Motion Carried.

Board of Zoning Appeals Appointment

Mrs. Williams made a motion to appoint Mr. Andy Hogan as resident representative to serve on the Board of Zoning Appeals. Mr. Zornes seconded the motion. All Aye. Motion Carried.

Mayor Kobasuk will email Mr. Hogan a letter and Mr. Scot Rogers will swear in Mr. Hogan at the BZA meeting.

Mr. Short made a motion to adjourn. Mr. Fairley seconded the motion. All Aye. Motion Carried.

Transcribed by Becky Fairley